

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BBK TOBACCO & FOODS LLP D/B/A
HBI INTERNATIONAL,

Plaintiff,

v.

CENTRAL COAST AGRICULTURE,
INC.,

Defendant.

Case No. [21-mc-80189-DMR](#)

ORDER TO SHOW CAUSE

Re: Dkt. No. 14

On November 24, 2021, the court granted Plaintiff BBK Tobacco & Foods's ("BBK") motion to compel compliance with a subpoena issued to non-party C3 Delivery, Inc. [Docket No. 7.] According to BBK, C3 failed to comply; now BBK moves the court for an order to show cause why C3 should not be held in civil contempt. [Docket No. 14.] C3 did not timely file an opposition. *See* Civ. L.R. 7-3. Accordingly, the court grants BBK's motion. C3 is ordered to show cause in writing within fourteen days of the date this order is served why it should not be held in civil contempt for failure to comply with the court's November 24, 2021 order compelling compliance with a third-party subpoena. *See* Fed. R. Civ. P. 45(g). BBK and C3 shall appear for a hearing before the court on May 12, 2022 at 1:00 p.m. via Zoom videoconference. Given the nature of these proceedings and previous service deficiencies in this case, BBK is ordered to immediately serve this order on C3 via personal service and certified mail at C3's address in McClellan, California identified in BBK's previous filing and file a proof of service establishing that it *has* effectuated service through these means—not that it *will* effectuate service.

IT IS SO ORDERED.

Dated: March 30, 2022



Donna M. Ryu
United States Magistrate Judge